

EXHIBIT 3

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Five Former Kansas City Chiefs Players File Concussion Lawsuit Against Team



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The never-ending claims made by past NFL players for damages stemming from concussion-related injuries continue. However, **today's filing** made by 5 former participants on the Kansas City Chiefs (Alexander Louis Cooper, Leonard Griffin, Christopher Martin, Joseph Phillips and Kevin Porter) is disparate from the rest. The most notable variation from the roughly 300 lawsuits filed by more than 4,800 former NFL players is that the 5 plaintiffs here have avoided naming the NFL as a defendant. Instead, they are simply seeking relief from the Chiefs.

The former Chiefs players are also a unique group of plaintiffs in that they all performed in a period of time wherein no collective bargaining agreement between the players and teams was in place (1987-1993). The significance of the lack of a collective bargaining agreement is that the players will seek to avoid any effort to remove the case to arbitration based on a theory that federal labor law trumps the players' claims; there is no way to interpret a collective bargaining agreement that failed to exist at the time that the injuries were purportedly sustained.



The Kansas City Chiefs have been sued by 5 former players in the latest lawsuit concerning concussion-related injuries.
(Photo credit: Wikipedia)

While the named defendant in the new litigation is different from the vast majority of existing concussion-related cases, the causes of action and general allegations remain by-and-large the same. The main claim is that the Kansas City Chiefs knew or should have known about the seriousness of suffering concussions, should have properly informed their players of the hefty risks of brain injuries, but instead willfully misrepresented and/or concealed the risks.

Based on correspondence received from the plaintiffs' counsel, it appears that the players involved in the suit are largely dissatisfied with [the proposed \\$765 million NFL concussion lawsuit settlement](#) that has yet to be approved by U.S. District Judge Anita Brody. In theory, the settlement would resolve all pending cases concerning brain injuries that were consolidated for the purpose of speeding up the discovery process in lawsuits spread across the United States. There have been non-stop rumors of former players considering opting out of the settlement in the wake of the settlement's details becoming public.

Attorneys for the 5 plaintiff players have stated that while the current filing is on behalf of those players named, any Chiefs player on the team from August 31, 1987 to March 29, 1993 is eligible to join the suit under the current Missouri law. However, they warn that interested players must act fast due to Missouri statutory law that is scheduled to be changed by the end of the year and may prevent said individuals from becoming part of the action.

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"In most cases you would be precluded from suing your employer based on workers compensation," explained plaintiffs' lead attorney Ken McClain to FORBES. "There's this unique opportunity in the [Missouri] law to pursue the Chiefs in this instance because the current statute does not cover occupational disease." McClain noted that the St. Louis Rams may also be vulnerable should any former players seek to be remedied based on concussion-related injuries.

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